

## PCT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
United States Patent and Trademark  
Office  
Box PCT  
Washington, D.C.20231  
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

<b>Date of mailing (day/month/year)</b> 19 November 1999 (19.11.99)	
<b>International application No.</b> PCT/US99/08568	<b>Applicant's or agent's file reference</b> 5796-01-MJA
<b>International filing date (day/month/year)</b> 19 April 1999 (19.04.99)	<b>Priority date (day/month/year)</b> 20 April 1998 (20.04.98)
<b>Applicant</b> MIN, Jing et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
15 October 1999 (15.10.99)

☐ in a notice effecting later election filed with the International Bureau on:  
\_\_\_\_\_

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	<b>Authorized officer</b>  Kiwa Mpay Telephone No.: (41-22) 338.83.38
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# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>5796-01-MJA</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 99/ 08568</b>	International filing date (day/month/year) <b>19/04/1999</b>	(Earliest) Priority Date (day/month/year) <b>20/04/1998</b>
Applicant  <b>WARNER-LAMBERT COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☒ furnished subsequently to this Authority in written form.
- ☒ furnished subsequently to this Authority in computer readable form.
- ☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

**4. With regard to the title,**

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

**5. With regard to the abstract,**

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

- ☐ as suggested by the applicant.
- ☒ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.
- 7  
☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/08568

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION PCT/ISA/210
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 9 and 13 (as far as in vivo methods are concerned) are directed to a diagnostic method practised on the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Although claims 18 (as far as in vivo methods are concerned) and 19 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/08568

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 C12N15/12 C07K14/47 C07K16/18 G01N33/68 C12Q1/68  
C12N15/10 C12P21/00 A61K48/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12N C07K G01N C12Q C12P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EMBL Database, Heidelberg, FRG Accession number Emest3:AA756269 23 January 1998 MARRA, M. ET AL.: "vv40c08.r1 Soares 2NbMt Mus musculus cDNA clone 1224878 5' similar to TR:008783 008783 90RF BINDING PROTEIN 1" XP002124924 cited in the application the whole document --- -/--	2,4,5



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&amp;" document member of the same patent family

Date of the actual completion of the international search

7 December 1999

Date of mailing of the international search report

29/12/1999

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Fuchs, U

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EMBL Database, Heidelberg, FRG Accession number Emest2:AA652491 08 November 1997 NCI-CGAP: "ns70b12.s1 NCI_CGAP_Pr2 Homo sapiens cDNA clone IMAGE:1188959" XP002124925 cited in the application the whole document	2,4,5
P,X	WO 98 45436 A (GENETICS INSTITUTE, INC.) 15 October 1998 (1998-10-15) SEQ ID NO: 1250 page 493 claims 1-4	2,4,5
A	MACAULAY, S.L. ET AL.: "Functional studies in 3T3L1 cells support a role for SNARE proteins in insulin stimulation of GLUT4 translocation" BIOCHEMICAL JOURNAL, vol. 324, no. 1, 15 May 1997 (1997-05-15), pages 217-224, XP002124923 the whole document	1-20
T	MIN, J. ET AL.: "Synip: A Novel Insulin-Regulated Syntaxin 4-Binding Protein Mediating GLUT4 Translocation in Adipocytes" MOLECULAR CELL, vol. 3, no. 6, June 1999 (1999-06), pages 751-760, XP002124922 the whole document & MIN, J. ET AL.: "Published Erratum" MOLECULAR CELL, vol. 4, no. 1, July 1999 (1999-07), page 192 the whole document	1-20

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 99/08568

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9845436 A	15-10-1998	AU 6891098 A	30-10-1998

**PCT**WORLD INTELLECTUAL PROPERTY ORGANIZATION  
International Bureau

## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

<b>(51) International Patent Classification 6 :</b> <b>C12N 15/12, 5/10, C07K 14/47,</b> <b>C12Q 1/68, A61K 38/17</b>	<b>A3</b>	<b>(11) International Publication Number:</b> <b>WO 98/45436</b> <b>(43) International Publication Date:</b> 15 October 1998 (15.10.98)
<b>(21) International Application Number:</b> PCT/US98/06955 <b>(22) International Filing Date:</b> 10 April 1998 (10.04.98) <b>(30) Priority Data:</b> 08/838,821 10 April 1997 (10.04.97) US <b>(71) Applicant:</b> GENETICS INSTITUTE, INC. [US/US]; 87 CambridgePark Drive, Cambridge, MA 02140 (US). <b>(72) Inventors:</b> JACOBS, Kenneth; 151 Beaumont Avenue, Newton, MA 02160 (US). MCCOY, John, M.; 56 Howard Street, Reading, MA 01867 (US). LAVALLIE, Edward, R.; 113 Ann Lee Road, Harvard, MA 01451 (US). RACIE, Lisa, A.; 124 School Street, Acton, MA 01720 (US). MERBERG, David; 2 Orchard Drive, Acton, MA 01720 (US). TREACY, Maurice; 93 Walcott Road, Chestnut Hill, MA 02167 (US). SPAULDING, Vikki; 11 Meadowbank Road, Billerica, MA 01821 (US). AGOSTINO, Michael, J.; 26 Wolcott Avenue, Andover, MA 01810 (US). <b>(74) Agent:</b> SPRUNGER, Suzanne, A.; Genetics Institute, Inc., 87 CambridgePark Drive, Cambridge, MA 02140 (US).		<b>(81) Designated States:</b> AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, GW, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG). <b>Published</b> <i>With international search report.</i> <i>Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i> <b>(88) Date of publication of the international search report:</b> 12 November 1998 (12.11.98)
<b>(54) Title:</b> SECRETED EXPRESSED SEQUENCE TAGS (sESTs) <b>(57) Abstract</b>  Secreted expressed sequence tags (sESTs) isolated from a variety of human tissue sources are provided.		



**FOR THE PURPOSES OF INFORMATION ONLY**

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece	ML	Mali	TR	Turkey
BG	Bulgaria	HU	Hungary	MN	Mongolia	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MR	Mauritania	UA	Ukraine
BR	Brazil	IL	Israel	MW	Malawi	UG	Uganda
BY	Belarus	IS	Iceland	MX	Mexico	US	United States of America
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CH	Switzerland	KG	Kyrgyzstan	NZ	New Zealand	ZW	Zimbabwe
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CM	Cameroon	KR	Republic of Korea	PT	Portugal		
CN	China	KZ	Kazakhstan	RO	Romania		
CQ	Cuba	LC	Saint Lucia	RU	Russian Federation		
CZ	Czech Republic	LI	Liechtenstein	SD	Sudan		
DE	Germany	LK	Sri Lanka	SE	Sweden		
DK	Denmark	LR	Liberia	SG	Singapore		
EE	Estonia						

## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 98/06955

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 C12N15/12 C12N5/10 C07K14/47 C12Q1/68 A61K38/17

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12N C07K C12Q A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 97 07198 A (GENETICS INSTITUT) 27 February 1997 see the whole document ---	1-8
A	WO 97 04097 A (GENETICS INST) 6 February 1997 ---	1-8
A	ADAMS M D ET AL: "3,400 NEW EXPRESSED SEQUENCE TAGS IDENTIFY DIVERSITY OF TRANSCRIPTS IN HUMAN BRAIN" NATURE GENETICS, vol. 4, no. 3, July 1993, pages 256-267, XP000611495 see the whole document ---	1-8
-/-		



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

## \* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"Z" document member of the same patent family

Date of the actual completion of the international search

3 July 1998

Date of mailing of the international search report

30.09.98

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

HORNIG H.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 98/06955

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 536 637 A (JACOBS KENNETH) 16 July 1996 cited in the application see the whole document ---	1-8
A	JACOBS K ET AL: "A NOVEL METHOD FOR ISOLATING EUKARYOTIC CDNA CLONES ENCODING SECRETED PROTEINS" JOURNAL OF CELLULAR BIOCHEMISTRY - SUPPLEMENT, vol. 21A, 10 March 1995, page 19 XP002027246 see abstract ---	1-8
A	WO 90 14432 A (GENETICS INST) 29 November 1990 see the whole document ---	1-8
A	WO 96 17925 A (IMMUNEX CORP) 13 June 1996 see the whole document -----	1-8

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 98/06955

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see further information sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

see further information sheet, subject 1.

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

Invention 1. Claims: (1-8) partially

An isolated polynucleotide comprising a nucleotide sequence selected from SEQ ID no.1, consisting of a nucleotide sequence selected from SEQ ID no.1, consisting essentially of a nucleotide sequence selected from SEQ ID no.1; an isolated polynucleotide comprising a nucleotide sequence which hybridizes to a sequence consisting of SEQ ID no.1; an isolated protein encoded by said isolated polynucleotides;

Inventions 2 to 1500. Claims: (1-8) partially

Idem as subject 1 but limited to SEQ ID nos.2 to 1500 respectively clone ID nos. BV34 to BK517. (Invention 2 is limited to SEQ ID. no. 2; Invention 3 is limited to SEQ ID no. 3;.....Invention 1500 is limited to SEQ ID no. 1500);

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 98/06955

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9707198 A	27-02-97	US 5707829 A	13-01-98
		AU 6712396 A	18-02-97
		AU 6768596 A	12-03-97
		EP 0839196 A	06-05-98
		EP 0851875 A	08-07-98
		WO 9704097 A	06-02-97
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WO 9704097 A	06-02-97	US 5707829 A	13-01-98
		AU 6712396 A	18-02-97
		EP 0839196 A	06-05-98
		AU 6768596 A	12-03-97
		EP 0851875 A	08-07-98
		WO 9707198 A	27-02-97
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US 5536637 A	16-07-96	US 5712116 A	27-01-98
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WO 9014432 A	29-11-90	US 5580753 A	03-12-96
		AT 147436 T	15-01-97
		AU 637620 B	03-06-93
		AU 5928990 A	18-12-90
		CA 2056997 A	24-11-90
		DE 69029657 D	20-02-97
		DK 473724 T	14-04-97
		EP 0473724 A	11-03-92
		ES 2099096 T	16-05-97
		JP 4506006 T	22-10-92
		US 5734037 A	31-03-98
		US 5414071 A	09-05-95
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WO 9617925 A	13-06-96	AU 4639396 A	26-06-96
		CA 2206488 A	13-06-96
		FI 972390 A	05-06-97
		NO 972455 A	06-08-97
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# PATENT COOPERATION TREATY

NOTED

**PCT**

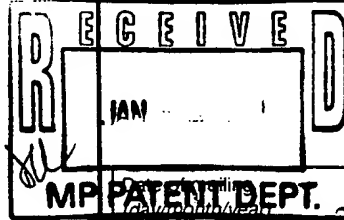
From the INTERNATIONAL SEARCHING AUTHORITY

To:  
**WARNER-LAMBERT COMPANY**  
 Attn. RYAN, M. Andrea  
 201 Tabor Road  
 Morris Plains, New Jersey 07950  
 UNITED STATES OF AMERICA

R. ARMSTRONG

NOTIFICATION OF TRANSMITTAL OF  
 INTERNATIONAL SEARCH REPORT  
 OR THE DECLARATION

(PCT Rule 44.1)



29/12/1999

Applicant's or agent's file reference <b>5796-01-MJA</b>	<b>FOR FURTHER ACTION</b> , See paragraphs 1 and 4 below
International application No. <b>PCT/US 99/08568</b>	International filing date (day/month/year) <b>19/04/1999</b>
Applicant <b>WARNER-LAMBERT COMPANY et al.</b>	

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO  
 34, chemin des Colombettes  
 1211 Geneva 20, Switzerland  
 Facsimile No.: (41-22) 740.14.35

**For more detailed instructions**, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer <b>Doreen Golze</b>
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## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

##### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.



## NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:  
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:  
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:  
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or  
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:  
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

Rose Armstrong

PCT

To:

Ivo Mansmann  
Warner-Lambert Company  
Legal Division  
c/o Gödecke AG, Patents  
Mooswaldallee 1  
D-79090 Freiburg  
ALLEMAGNE

Patentwesen

Eing.: 20. Juli 2000

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT  
(PCT Rule 71.1)

Date of mailing

(day/month/year)

18.07.2000

Applicant's or agent's file reference  
5796-01-MJA

## IMPORTANT NOTIFICATION

International application No.  
PCT/US99/08568

International filing date (day/month/year)  
19/04/1999

Priority date (day/month/year)  
20/04/1998

Applicant

WARNER-LAMBERT COMPANY et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

## 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA:



European Patent Office  
D-80298 Munich  
Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Authorized officer

Büchler, S

Tel. +49 89 2399-8090




# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>5796-01-MJA</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/US99/08568</b>	International filing date (day/month/year) <b>19/04/1999</b>	Priority date (day/month/year) <b>20/04/1998</b>
International Patent Classification (IPC) or national classification and IPC <b>C12N15/12</b>		
Applicant <b>WARNER-LAMBERT COMPANY et al.</b>		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of      sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I    <input checked="" type="checkbox"/> Basis of the report</li> <li>II   <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV  <input type="checkbox"/> Lack of unity of invention</li> <li>V    <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI  <input type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input checked="" type="checkbox"/> Certain observations on the international application</li> </ul>		
Date of submission of the demand  <b>15/10/1999</b>	Date of completion of this report  <b>18.07.2000</b>	
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  <b>Stolz, B</b>  Telephone No. +49 89 2399 8416	



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US99/08568

---

**I. Basis of the report**

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

**Description, pages:**

1-37 as originally filed

**Claims, No.:**

1-20 as originally filed

**Drawings, sheets:**

1/12-12/12 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description. pages:  
☐ the claims. Nos.:  
☐ the drawings. sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US99/08568

---

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims 1, 6-20
	No: Claims 2-5
Inventive step (IS)	Yes: Claims 1, 6-20
	No: Claims 2-5
Industrial applicability (IA)	Yes: Claims 1-20
	No: Claims

**2. Citations and explanations**

**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

1. Reasoned statement

1.1. The application describes a protein, SYNIP, interacting with Syntaxin4 and playing a role in insulin induced GLUT4 translocation.

1.2. Novelty (Art. 33(2) PCT)

The specific DNA and amino acid sequences of Seq. ID nos. 1 to 6 have not been described in the prior art and are therefore novel.

However, claim 2 extends to any DNA molecule hybridizing to said sequences under conditions of high stringency. The cited prior art identifies ESTs, doc. nos. XP00214924 and XP00214925, displaying 99% sequence identity over stretches of about 300 bp. These sequences fall under the terms of claim 2. Moreover, these ESTs could also be considered to consist essentially of the sequences of Seq ID nos. 1 or 4, and hence as falling under the terms of claim 3. Consequently, claims 2 to 5 lack novelty.

1.3. Inventive step (Art. 33(3) PCT)

Since the specifically defined molecules are new and since their usefulness in modulating insulin induced GLUT4 translocation could not be derived from the cited prior art in an obvious way, inventive step of claims 1, and 6 to 20 is acknowledged.

2. Certain observations

2.1. The meaning of the terms "substantially similar" and "consisting essentially of" is open to interpretation. Thus, the scope of the claims cannot be unambiguously established.

According to p. 8 of the description, the definition of "substantially similar" DNA, RNA or protein sequences includes any sequence obtained by deletion, addition or substitution. Basically, there is no structural limitation. In addition, the functional definition of the encoded proteins includes anything "having a qualitative biological activity in common with the native SYNIP" and is not even limited to peptides (p.

12, lines 3 to 27). The meaning of the term "a qualitative biological activity in common" is in itself unclear. Is binding to Syntaxin4 sufficient? Or, is anything affecting insulin induced GLUT4 translocation included? As a result of this ambiguous way of defining the claimed subject matter, even the N-terminal VAMP-2 peptide and the Syntaxin4 peptide fragment, or any of the other inhibitory molecules described in Macaulay et al., 1997, could be considered to fall under the terms of the claims.

- 2.2. As it is unclear to what group of molecules claims 1 to 7 extend, the scope of protection provided by claim 8 is also unclear. Moreover, since the newly described SYNIP contains several conserved sequence motifs, it seems highly likely, that claim 8 lacks novelty.
- 2.3. The term SYNIP is without a generally accepted technical meaning and needs to be replaced by unambiguously defined terms or sequence information.
- 2.4. Claim 12 does not seem to be supported by the description insofar as "other ligands" binding to SYNIP are concerned. There is no technical information about such "other ligands".
- 2.5. Claims 17 and 20 appear to be duplications of claims 15 and 16, respectively.

## TENT COOPERATION TREATY

## PCT


## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 20 JUL 2000

WIPO

PCT

Applicant's or agent's file reference 5796-01-MJA		<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US99/08568	International filing date (day/month/year) 19/04/1999	Priority date (day/month/year) 20/04/1998	
International Patent Classification (IPC) or national classification and IPC C12N15/12			
Applicant WARNER-LAMBERT COMPANY et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li>I <input checked="" type="checkbox"/> Basis of the report</li> <li>II <input type="checkbox"/> Priority</li> <li>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li>IV <input type="checkbox"/> Lack of unity of invention</li> <li>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li>VI <input type="checkbox"/> Certain documents cited</li> <li>VII <input type="checkbox"/> Certain defects in the international application</li> <li>VIII <input checked="" type="checkbox"/> Certain observations on the international application</li> </ul>			
Date of submission of the demand 15/10/1999		Date of completion of this report 18.07.2000	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer  Stolz, B  Telephone No. +49 89 2399 8416	





# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/08568

## I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

### Description, pages:

1-37 as originally filed

### Claims, No.:

1-20 as originally filed

### Drawings, sheets:

1/12-12/12 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/US99/08568

---

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes:	Claims 1, 6-20
	No:	Claims 2-5
Inventive step (IS)	Yes:	Claims 1, 6-20
	No:	Claims 2-5
Industrial applicability (IA)	Yes:	Claims 1-20
	No:	Claims

**2. Citations and explanations**

**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

1. Reasoned statement

1.1. The application describes a protein, SYNIP, interacting with Syntaxin4 and playing a role in insulin induced GLUT4 translocation.

1.2. Novelty (Art. 33(2) PCT)

The specific DNA and amino acid sequences of Seq. ID nos. 1 to 6 have not been described in the prior art and are therefore novel.

However, claim 2 extends to any DNA molecule hybridizing to said sequences under conditions of high stringency. The cited prior art identifies ESTs, doc. nos. XP00214924 and XP00214925, displaying 99% sequence identity over stretches of about 300 bp. These sequences fall under the terms of claim 2. Moreover, these ESTs could also be considered to consist essentially of the sequences of Seq ID nos. 1 or 4, and hence as falling under the terms of claim 3. Consequently, claims 2 to 5 lack novelty.

1.3. Inventive step (Art. 33(3) PCT)

Since the specifically defined molecules are new and since their usefulness in modulating insulin induced GLUT4 translocation could not be derived from the cited prior art in an obvious way, inventive step of claims 1, and 6 to 20 is acknowledged.

2. Certain observations

2.1. The meaning of the terms "substantially similar" and "consisting essentially of" is open to interpretation. Thus, the scope of the claims cannot be unambiguously established.

According to p. 8 of the description, the definition of "substantially similar" DNA, RNA or protein sequences includes any sequence obtained by deletion, addition or substitution. Basically, there is no structural limitation. In addition, the functional definition of the encoded proteins includes anything "having a qualitative biological activity in common with the native SYNIP" and is not even limited to peptides (p.

12, lines 3 to 27). The meaning of the term "a qualitative biological activity in common" is in itself unclear. Is binding to Syntaxin4 sufficient? Or, is anything affecting insulin induced GLUT4 translocation included? As a result of this ambiguous way of defining the claimed subject matter, even the N-terminal VAMP-2 peptide and the Syntaxin4 peptide fragment, or any of the other inhibitory molecules described in Macaulay et al., 1997, could be considered to fall under the terms of the claims.

- 2.2. As it is unclear to what group of molecules claims 1 to 7 extend, the scope of protection provided by claim 8 is also unclear. Moreover, since the newly described SYNIP contains several conserved sequence motifs, it seems highly likely, that claim 8 lacks novelty.
- 2.3. The term SYNIP is without a generally accepted technical meaning and needs to be replaced by unambiguously defined terms or sequence information.
- 2.4. Claim 12 does not seem to be supported by the description insofar as "other ligands" binding to SYNIP are concerned. There is no technical information about such "other ligands".
- 2.5. Claims 17 and 20 appear to be duplications of claims 15 and 16, respectively.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>5796-01-MJA</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 99/ 08568</b>	International filing date (day/month/year) <b>19/04/1999</b>	(Earliest) Priority Date (day/month/year) <b>20/04/1998</b>
Applicant <b>WARNER-LAMBERT COMPANY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☒ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

7

☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 99/08568

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION PCT/ISA/210
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Although claims 9 and 13 (as far as in vivo methods are concerned) are directed to a diagnostic method practised on the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

Although claims 18 (as far as in vivo methods are concerned) and 19 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

## INTERNATIONAL SEARCH REPORT

International Application No

P US 99/08568

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 C12N15/12 C07K14/47 C07K16/18 G01N33/68 C12Q1/68  
 C12N15/10 C12P21/00 A61K48/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12N C07K G01N C12Q C12P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>EMBL Database, Heidelberg, FRG            Accession number Emest3:AA756269            23 January 1998            MARRA, M. ET AL.: "vv40c08.r1 Soares 2NbMt            Mus musculus cDNA clone 1224878 5' similar            to TR:008783 008783 9ORF BINDING PROTEIN            1"            XP002124924            cited in the application            the whole document</p> <p style="text-align: center;">--- -/-</p>	2,4,5

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

° Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&amp;" document member of the same patent family

Date of the actual completion of the international search

7 December 1999

Date of mailing of the international search report

29/12/1999

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
 NL - 2280 HV Rijswijk  
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
 Fax: (+31-70) 340-3016

Authorized officer

Fuchs, U



## INTERNATIONAL SEARCH REPORT

International Application No.

PCT/US 99/08568

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EMBL Database, Heidelberg, FRG Accession number Emest2:AA652491 08 November 1997 NCI-CGAP: "ns70b12.s1 NCI_CGAP_Pr2 Homo sapiens cDNA clone IMAGE:1188959" XP002124925 cited in the application the whole document	2,4,5
P,X	--- WO 98 45436 A (GENETICS INSTITUTE, INC.) 15 October 1998 (1998-10-15) SEQ ID NO: 1250 page 493 claims 1-4	2,4,5
A	--- MACAULAY, S.L. ET AL.: "Functional studies in 3T3L1 cells support a role for SNARE proteins in insulin stimulation of GLUT4 translocation" BIOCHEMICAL JOURNAL, vol. 324, no. 1, 15 May 1997 (1997-05-15), pages 217-224, XP002124923 the whole document	1-20
T	--- MIN, J. ET AL.: "Synip: A Novel Insulin-Regulated Syntaxin 4-Binding Protein Mediating GLUT4 Translocation in Adipocytes" MOLECULAR CELL, vol. 3, no. 6, June 1999 (1999-06), pages 751-760, XP002124922 the whole document & MIN, J. ET AL.: "Published Erratum" MOLECULAR CELL, vol. 4, no. 1, July 1999 (1999-07), page 192 the whole document -----	1-20

## INTERNATIONAL SEARCH REPORT

### Information on patent family members

International Application No

99/08568

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9845436 A	15-10-1998	AU 6891098 A	30-10-1998